

TOWN OF TRURO  
BOARD OF SELECTMEN  
MEETING OF TUESDAY, SEPTEMBER 26, 2006

The Truro Board of Selectmen met for their weekly session on Tuesday, September 26, 2006 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Christopher R. Lucy, Curtis Hartman, Jan Worthington, Town Administrator Pamela Nolan, Assistant Town Administrator Charleen Greenhalgh, Administrative Secretary Julie DuPree, Martha Nagy, Brenda Boleyn, Al Silva, Jim Downey, Susan Kadar, Parker and Natalie Small, Russell and Nancy Braun, John Portnoy, Gary Delius, Town Counsel Ed Veara, and Steve Desroche of the Cape Codder.

Mr. Gaechter convened the meeting at 6:00 p.m.

**Minutes: Mr. Palmer moved to approve the minutes of the regular meeting of September 26, 2006, as presented. Mr. Lucy seconded it. Vote: 5-0, unanimous.**

**Public Comment:** none.

**Open Cape Wireless Project:** Mr. Delius explained that this venture is being explored by a consortium of organizations and towns and will culminate in a regional communications network from Woods Hole to Provincetown. It will use a point to point system using existing water and communication towers to form the backbone. In his opinion, we have the best tower on the Cape here in Truro. This new network will enhance education, research and economic development and provide internet access for all of those, as well as public safety, emergency services, library networks, businesses and private homes. He told the BOS that they need to decide in a letter of support whether to be an Associate or Partner. Right now he is participating at the highest level; he hopes to continue and recommends that they support this venture as a partner. A partner contributes; they can do a soft contribution through the use of the tower, calculating what that would be worth in dollars. The timeline is to get the funding and grants in place before the end of the year, and another year to get it up in place from one end of the Cape to the other. Upon learning that they could support this in concept and there would be no cost, the BOS had no objection to sending a letter of support. Mr. Delius will draft a letter for their signature.

**One Day Liquor License request: Mr. Palmer moved to approve the request from the Pamet Harbor Club, Inc. for a one-day all alcoholic beverages license for October 21, 2006 from 1:00 p.m. until 10:00 p.m. Mr. Lucy seconded it. Vote: 5-0, unanimous.**

**Water Service Application for 389 Shore Road:** Mr. Palmer reported that the BOH continued this. It will be placed back on the BOS agenda in three weeks.

**United Nations Proclamation: Mr. Palmer moved to approve the proclamation for United Nations Day, October 24, 2006. Ms. Worthington seconded it. Vote: 5-0, unanimous.** Mr. Gaechter directed Ms. Nolan to alert the school.

**East Harbor Tidal Restoration Project:** Mr. Lucy said he had asked for this report because of his concerns year after year, beginning when the carp were removed, through the midges, the road collapse, and now the algae. He would like an explanation of what is going on, and what will happen in the future. What is the next step, and what is the lake doing. He noted that Beach Point residents and visitors bear the brunt of all this.

Mr. Portnoy elaborated on past events; the salinity remains at 20-25, with tide heights of approximately 1 to 1 ½ feet. Data shows that this fluctuation did not adversely affect the erosion that undermined the highway; that had been ongoing. They have restored sea grasses, which provide food for water fowl and new species of marine life have moved in. The existing inlet size allows for little flushing. It takes 133 days for complete flushing of the lagoon, resulting in algae blooms. Increasing the inlet size will radically increase flushing rates. Mr. Gaechter noted there had been complaints about the odor from the lake. He asked when the ACOE report would be made. Mr. Portnoy said that the report is overdue. There will be a public hearing, most likely in November. He said that they need higher tidal flushing to get rid of the excess nutrients which has resulted in algae blooms. They are also going to look for other sources that may be getting into the system. The odor is from the algae dying. Mr. Gaechter said the ACOE study has taken 2-3 years; was there anything artificial in the interim. Mr. Portnoy thought perhaps they could harvest the algae. Its growth is driven by the availability of nutrients and the odor is also caused by high temperatures. He was not sure how to control it.

Mr. Downey commented on this project's coming before the ConsCom and that it has had "project creep" from the very beginning. He thinks the level of the lake is higher. High Head road is now going to be flooded; originally it was not going to be. They have killed acres and acres of vegetation that is now rotting in the lagoon. The Park said there would be no odor. The Park has consistently said no problem. The clams have all died this summer. He doesn't feel they have adequately addressed the problems. The town needs to address them. He is afraid the new inlet will starve the beach west of it of sand and opening the lagoon it will block the resident's access to walk the beach. He maintained that the NPS knew the source at the beginning of the project, and knew they had no access for more. He feels the problem with the nutrients is not septic systems from Beach Point. The Park also never had the burns they planned to get rid of the dying vegetation.

Mr. Portnoy said that they tried to keep the town informed at every step. The burn did not take place because the conditions were never right. He admitted that a new inlet would starve another area of beach and the ACOE will have to address this. There have been continuations of oxygen depletions; they did not kill fish this summer, but did kill clams. Water temperatures in August were very high. It is still a stressed system, but conditions are better than before the clappers were opened. Mr. Small told the BOS that in Moon Pond the clams are o.k. In the lake, it was 100% lethal. Mr. Gaechter told Mr. Portnoy that Truro wants to be a partner in this, not just an observer. They want to see more communication on this, with quarterly presentations, and ConsCom present too. Mr. Braun said he has been on Beach Point for many years and never recalls the odor before this year. It is not in the interest of the town to see these conditions given the importance of Beach Point to the town, and it is critical that the NPS works closely with the town. Mr. Gaechter said that if you don't have science on what will happen on both sides of the highway regarding the size of pipes, then the job is not being done right. We have to know all the ramifications that the ACOE needs to address in November. Mr. Palmer asked if the NPS has a remediation program for next summer regarding algae blooms; the Park needs to talk about it and begin now for next summer. Ms. Boleyn pointed out that the salinity level decides which plants will grow, but the nutrients drive that growth so a study of the nutrients would be worthwhile. Mr. Lucy was concerned that a bigger inlet would result in tidal action up and down and that will affect Route Six erosion and will flood High Head Road. Mr. Portnoy said that it will, and that is still an open

question. Mr. Lucy wondered if the tidal action would also cause an odor. Mr. Portnoy said that would depend on the sediment; it is much sandier in Pilgrim Lake than Mill Pond, for example. Mr. Lucy wanted them to also bear in mind that it all flushes out to bathing beaches.

**Interview:** Ms. Schiereck did not appear for her interview for a position on the WROC.

**Resignations:** Mr. Gaechter noted that they had received three resignations: Ms. Thomas from the County Water Protection Collaborative, Nick Brown from the Planning Board and Dick Marr from the Housing Authority. He said that Nick Brown will probably reapply. **He moved to accept the three resignations and send letter of appreciation to Ms. Thomas and Mr. Marr. Mr. Hartman seconded it.** Mr. Palmer noted that they should replace Ms. Thomas right away. It hasn't been advertised yet. Ms. Worthington said she felt a letter should be sent to all three. **Mr. Gaechter amended his motion to include a letter to Mr. Brown. Mr. Hartman seconded the amendment. Vote: 5-0, unanimous.** The Board discussed their concerns with the issues raised in Mr. Brown's resignation letter.

**Goals/Objectives:** The Board received goals and objectives from several boards. Mr. Gaechter suggested adding a goal to encompass those of the Commission on Disabilities. Mr. Hartman wanted to add under Long Range goals to coordinate discussions between town boards on long range goals such as affordable housing. Ms. Worthington said that if the Planning Board cannot act on these issues, then she feels the BOS should make them their own goals. Mr. Hartman thought that would fan the flames. Ms. Worthington said she would hold off for now. Mr. Hartman will draft a goal for the BOS to review. The suggested goal from Mr. Gaechter was to create a program to make the town more disability friendly by considering such items as beach access, enforcement of handicapped parking bylaw, availability of wheelchairs at all town building and the potential use of handicapped accessible porta-potties. **Mr. Hartman moved to adopt this as a goal. Mr. Lucy seconded it. Vote: 5-0, unanimous.**

**Town Administrator's Report: (action items)**

- Reported on her site visit with MAHighway to look at potential sites for the Flex bus stop on Highland Road near the overpass. It was very encouraging; she is sure we will get permission for a site. Mr. Gaechter directed that before a decision is made on the site, the North Truro Center residents should be alerted so they can offer their input.
- Alerted the Board that there will be an article on the STM Warrant to accept a state statute called the Mullin Rule. This allows a member of an adjudicative board to miss part of a public hearing and still be able to vote on it.
- The CPC has asked to be on the BOS agenda on October 10<sup>th</sup>.

**Selectmen/Liaison Reports: (action items)**

**Worthington:** -Stressed the need to get volunteers for the Meals on Wheels program, especially if we are to convince the community we will have the volunteers for the new community center. Mr. Palmer will bring it up at the next COA meeting.

**Palmer:** -Reported that the BOH passed their new regulations. They will become effective in thirty days.

**Gaechter:** -Reported that Principal Davis informed him they are directed by the State Public Health Dept. and there is no directive regarding the use of a flu mist; they have declined to participate at this time. He will reconsider this if he learns anything differently.

- Reported that at the last TBC meeting they authorized the architect to do 75% drawings and present them within a November timeframe. If they stay on that schedule, the bids could be in by mid-December, break ground in January with a 10 month construction period. We could have a new Community Center by the fall of next year. The TBC approved the site of the building. The project manager still believes the project will come in significantly under budget and they will be able to build the 1st alternative.

**Lucy:** -Asked for a report on the harbor mooring issue; the deadline has passed. Ms. Nolan said she has not heard from the Harbor Master.

**Hartman:** -The CPC has completed its review of their application process. The deadline for applications for the next ATM is November 1<sup>st</sup>.

- Alerted the Board that the school and the school council will be asking the BOS to consider reapplying for school district flashing lights on Rte. 6. This request will be made after the election.

**Next week's agenda: Land recovery issue.**

**At 8:02 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to consider negotiations and to not reconvene in Open Session. Roll Call Vote: Hartman, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Worthington, aye. 5-0, unanimous.**

---

Alfred Gaechter, Chairman

---

Gary Palmer, Vice-Chairman

---

Christopher R. Lucy, Clerk

---

Curtis Hartman

---

Janet W. Worthington

Board of Selectmen  
Town of Truro